

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KENNETH EUGENE BARRON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04CV40023RCL
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	

DEFENDANT'S MOTION TO CONTINUE SCHEDULING CONFERENCE

Now comes defendant, United States of America, ("United States") and hereby moves this Court, pursuant to Local Rule 40.3 to continue the date of the Local Rule 16.1(A) Scheduling Conference, presently scheduled for May 11, 2005, at 2:30pm. As grounds therefore, the undersigned counsel for Defendant asserts she is scheduled for annual leave from May 9 through May 23, 2005. Additionally, counsel for the Bureau of Prisons will be on vacation from May 23 through June 4, 2005.

Defendant asserts that there have been no prior requests for continuances of scheduled court dates in this action.

Should the Court allow defendant's motion, the following are proposed dates for the rescheduling of the Scheduling Conference: anytime June 6 through June 9; June 13 through 15; June 27 through 30.

Respectfully submitted,

Defendant, United States of America,
By its attorney,

MICHAEL J. SULLIVAN
United States Attorney

Date: April 27, 2005

By: /s/ Gina Y. Walcott-Torres
Gina Y. Walcott-Torres
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

CERTIFICATE OF SERVICE

This is to certify that I have this 27th day of April, 2005, served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Kenneth Eugene Barron (Prison #30255-037), *pro se*, FMC Devens, P.O. Box 879, Ayer, MA 01432

/s/ Gina Y. Walcott-Torres
Gina Y. Walcott-Torres
Assistant United States Attorney

REQUEST FOR WAIVER OF LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel hereby requests a waiver of the requirements of Local Rule 7.1(A)(2). As reasons therefore, she asserts that the plaintiff, who is acting *pro se*, is incarcerated at the Federal Medical Center in Devens, Massachusetts.

/s/ Gina Y. Walcott-Torres
Gina Y. Walcott-Torres
Assistant United States Attorney